

REMARKS

Reconsideration of the pending application is respectfully requested. Claims 22-29 and 33-44 are currently pending in the above referenced application. Claims 1-21 and 30-32 have been canceled.

35 U.S.C. §112 REJECTIONS

Examiner has rejected Claims 22-29 and 33-44 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding Claim 22, Examiner contends that it is unclear as to whether the fiber sizes vary within each mat portion; they vary between the two portions or if the use of the term "varied" is to meant that fiber size is not to be specific.

Claim 22 is currently amended to more clearly claim a mat of fibrous media having fiber layers with fiber sizes varying within each layer. Support for this claim can be found throughout the specification including paragraph 1 as follows:

The present invention relates to a method, apparatus and product relating to fibrous mat and more particularly to a unique and novel arrangement for making fibrous mat in such a combined manner that the resulting attenuated fibrous layered mat *has fiber layers, each of select fiber size distribution and, if elected a controlled surface and variable permeability.*

Regarding Claim 29, Claim 29 is currently amended to more clearly claim a mat of fibrous filter media having both varied fiber size distributions within each layered mat portion and different ranges of fiber size distributions between the layers. Support for this claim can be found in the specification at paragraph 3 on page 2.

Regarding Claim 33, Claim 33 is currently amended to more clearly claim a first fibrous layer having a first varied fiber size distribution within said first layer and first varied porosity within said first layer and a second fibrous layer having a second varied fiber size distribution within said second layer and second varied porosity within said second layer.

35 U.S.C. §102 and §103 REJECTIONS

In rejecting the claims under 35 U.S.C. §112, Examiner has taken the position that the fiber size is to vary between the mat portions and that the permeability varies between the mat portions and not within the mat portions as currently claimed. Consequently, Examiner has maintained the previous rejections.

Applicant is currently more clearly claiming a fibrous media having fiber layers with fiber sizes and / or porosity varying within each layer. As shown in the previous office action response, there is no teaching or suggestion in the cited prior art of having a varied fiber size distribution or varied permeability within a single layer. Since none of the cited references, alone or in combination, teach or make obvious the presently claimed invention, Applicant's Attorney respectfully requests that this rejection be withdrawn.

CONCLUSION

Applicant's Attorney believes that the instant application is now in condition for allowance and therefore respectfully requests that the Examiner withdraw the pending rejections. However, if the Examiner believes there are other unresolved issues in this case, Applicant's Attorney of record would appreciate a call at (502) 584-1135 to discuss such remaining issues.

Respectfully submitted,

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